

So Ordered.

Dated: March 10th, 2020



Frederick P. Corbit

Frederick P. Corbit
Bankruptcy Judge

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9 **UNITED STATES BANKRUPTCY COURT**
10 **EASTERN DISTRICT OF WASHINGTON**

11 In re:

12 GIGA WATT, Inc., a Washington
13 corporation,

14 Debtor.

Case No. 18-03197

The Honorable Frederick P. Corbit

Chapter 11

15 **ORDER GRANTING CHAPTER 11**
16 **TRUSTEE'S MOTION FOR ORDER**
17 **APPROVING AND GENERAL**
18 **RELEASE OF CLAIMS (CARLSON**
19 **ADVERSARY)**

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22 This matter came before this Court on the *Chapter 11 Trustee's Motion for*
23 *Order Approving Agreement and General Release of Claims (Carlson Adversary)*
24 (the "Motion")¹ filed by Mark D. Waldron, in his capacity as the duly-appointed

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26 ¹ Unless otherwise defined herein, capitalized terms used in this Order have the
27 meanings ascribed to them in the Motion or the Memorandum of Points and
28 Authorities filed in support thereof.

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30 General Release of Claims (Carlson Adversary) - Page 1

1 Chapter 11 Trustee (the “Trustee”) in the above-captioned bankruptcy case of
2 Giga Watt Inc.

3 The Court having reviewed the Motion, the Memorandum of Points and
4 Authorities in Support of the Motion, the Declaration of Mark D. Waldron in
5 Support of the Motion, the Agreement (as defined in the Motion) and the Court
6 finding that (1) the settlement as set forth in the Agreement is fair, reasonable and
7 adequate, (2) good cause exists to approve the Motion, (3) the decision to enter
8 into the Agreement is supported by sound business reasons and is a proper
9 exercise of the Trustee’s business judgment, and (4) notice of the Motion and
10 hearing were sufficient, proper and adequate;

11 **IT IS HEREBY ORDERED** as follows:

- 12 1. The Motion is GRANTED in its entirety;
- 13 2. The Agreement and the settlement contained therein are approved;
- 14 3. The Trustee is authorized to enter into the Agreement, substantially
15 in the form attached as Exhibit B to the Motion;
- 16 4. The Adversary Proceeding (as defined in the Agreement) is hereby
17 dismissed with prejudice against Carlson (as defined in the Agreement) and
18 without prejudice against Rob Tavis; and

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5. The Carlson Proofs of Claim (as defined in the Agreement) are withdrawn with prejudice; and

6. The Allowed Administrative Claim is subject to the terms of the Agreement and will have the treatment set forth in the Agreement.

/// END OF ORDER ///

Presented by:

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Of attorneys for Mark Waldron in his capacity as the duly-appointed Chapter 11 Trustee

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